



"Express Mail" Mailing Label No. EV964284980US

October 9, 2007

Date of Deposit

Our Case No. 8285/673

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Tricia Ehlers Henry et al.)	
)	Examiner: Elahee, MD S
Serial No.: 10/775,831)	
)	Group Art Unit No.: 2614
Filing Date: February 10, 2004)	
)	
For: System and Method for Accessing)	
a Messaging Service Using a)	
Short Dialing Sequence)	

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandra, VA 22313-1450

Dear Sir:

Applicants request review of the final rejection in the above-identified application.
No amendments are being filed with this request.

This request is being filed with a notice of appeal

The review is requested for the reasons stated on the attached sheets. No more than five (5) pages are provided.

REMARKS

I. Introduction

Claims 1-20 are pending in the application. In the final Office Action dated July 17, 2007, the Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,215,857 ("Kasiviswanathan") in view of U.S. Pat. No. 5,278,897 ("Mowery"). Applicants respectfully request review of the final rejection.

II. The Proposed Combination of Kasiviswanathan and Mowery Does Not Render Claim 1 Unpatentable

Independent claim 1 recites a supplementary service processor operative to generate a query to a supplementary service database to determine whether the central office switch supports a supplementary service and to determine whether a user has access to a voicemail service based on a caller identifier. Both Kasiviswanathan and Mowery fail to teach this element.

There seems to be no dispute that Kasiviswanathan fails to teach determining whether a user has access to a voicemail service based on a caller identifier. Thus, Kasiviswanathan necessarily fails to teach generating a query to a supplementary service database to determine both whether a central office switch supports a supplementary service and whether a user has access to a voicemail service based on a caller identifier.

Like Kasiviswanathan, Mowery also fails to teach the element. Mowery is directed to systems and methods for providing smart internodal transfer for subscriber access in multimode voice messaging. Mowery discloses a database to provide information regarding whether an accessed node is a home node for a subscriber, to provide password validation information, and to provide subscriber information such as subscriber mailbox information and subscriber accesses type.

The Examiner has asserted that Mowery teaches determining whether a user has access to a voicemail service based on a caller identifier. Applicants respectfully submit that determining whether a user has access to a voicemail service based on a caller identifier is not the same as generating a query to a supplementary database to

determine both whether a central office switch supports a supplementary service and whether a user has access to voicemail service based on a caller identifier.

Because both Kasiviswanathan and Mowery fail to teach generating a query to a supplementary service database to determine whether the central office switch supports a supplementary service and to determine whether a user has access to a voicemail service based on a caller identifier, the proposed combination of Kasiviswanathan and Mowery necessarily does not render independent claim 1, or any claim that depends on claim 1, unpatentable.

III. The Proposed Combination of Kasiviswanathan and Mowery Does Not Render Claim 11 Unpatentable

Independent claim 11 recites determining whether a central office switch supports a supplementary service based on a message sequence and a supplementary service database, and determining whether a user has access to a voicemail service based on a caller identifier and the supplementary service database. Kasiviswanathan and Mowery fail to teach a database to determine both whether a central office supports a supplementary service and whether a user has access to a voicemail service based on a caller identifier. For at least this reason, the proposed combination of Kasiviswanathan and Mowery necessary does not render independent claim 11, or any claim that depends on claim 11, unpatentable.

IV. The Proposed Combination of Kasiviswanathan and Mowery Does Not Render Claim 16 Unpatentable

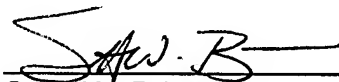
Independent claim 16 recites generating a query to a supplementary service database in response to receiving a message sequence to determine whether the central office switch supports a supplementary service based on whether a service code is present in the n-digit message sequence and to determine whether the user has access to the voicemail service based on a caller identifier. Kasiviswanathan and Mowery fail to teach a database to determine both whether a central office supports a supplementary service and whether a user has access to a voicemail service based on a caller identifier. For at least this reason, the proposed combination of Kasiviswanathan

and Mowery necessary does not render independent claim 16, or any claim that depends on claim 16, unpatentable.

V. Conclusion

Applicants submit that the pending claims are in condition for allowance. Review of the final rejections is therefore respectfully requested. If there are any questions concerning this Pre-Appeal Request for Review, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "S.W. Brim", is written over a horizontal line.

Scott W. Brim
Registration No. 51,500
Attorney for Applicants

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional) 8285-673

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On October 9, 2007

Signature

Typed or printed

Name Scott W. Brim

Application Number

10/775,831

Filed

February 10, 2004

First Named Inventor: Tricia Ehlers Henry et al.

Art Unit

2614

Examiner

Elahee, MD S.

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The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 51,500

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____

Signature

Scott W. Brim

Typed or Printed Name

312 321-4200

Telephone number

Note: Signatures of all inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*

October 9, 2007

Date

☒ *Total of 1 forms are submitted.